

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

STATE FARM LIFE INSURANCE
COMPANY,

Plaintiff,

v.

JASON CAI and THE ESTATE OF YING
DENG, Deceased,

Defendants.

Case No.: 09-CV-00396-LHK

ORDER DENYING REQUEST FOR
CONTINUANCE

On September 8, 2010, Defendant Jason Cai filed a motion to continue this matter until the middle of 2011, approximately nine months from now. Mr. Cai has been in custody from the outset of this proceeding. He is currently preparing for trial in another matter and looking for counsel to represent him in this case. Defendant Estate of Ying Deng objects to Cai's request for a continuance on grounds that the case has been pending since January 2009 and Defendant Cai does not present good cause to justify further delay.

The Court is sensitive to the difficulties of litigating a case while in custody and without the assistance of counsel. Nonetheless, this matter has already been pending for over a year and eight months. The parties have not yet had a single case management conference. Motions filed by Plaintiff State Farm and Defendant Estate were initially filed in April 2010 and have already been

1 continued twice. The motions are currently scheduled to be heard on November 12, 2010, two
2 months from now. Moreover, Defendant Cai has already obtained a continuance to accommodate
3 preparations for trial. Order (1) Granting in Part Req. for Continuance; and (2) Setting Deadline
4 for Consent or Declination to Proceed before a Magistrate Judge, ECF No. 27.

5 The Court does not find good cause for the requested approximately nine-month
6 continuance; thus, the request for a continuance is DENIED.

7 **IT IS SO ORDERED.**

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9 Dated: September 14, 2010

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11 LUCY H. KOH
12 United States District Judge
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